

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**Civil Action No. 04-12479 MEL**

**FALKEN INDUSTRIES, LTD. and  
ROY JANIS,**

*Plaintiffs,*

**v.**

**CHRISTIAN JOHANSEN and  
PATRICK SAUTIN,**

*Defendants.*

**MOTION FOR ADMISSION *PRO HAC VICE* OF ATTORNEY DUSTIN B. RAWLIN  
FOR DEFENDANTS CHRISTIAN JOHANSEN AND PATRICK SAUTIN**

Pursuant to Local Rule 83.5.3(b) of the United States District Court for the District of Massachusetts, Kurt B. Fliegauf, counsel for defendants Christian Johansen and Patrick Sautin in the above-captioned action, hereby moves that Dustin B. Rawlin be admitted *pro hac vice* as co-counsel for defendants Christian Johansen and Patrick Sautin in this case.

In support of this motion, the undersigned counsel states as follows:

1. Mr. Rawlin is a member of the bar in good standing in every jurisdiction where he has been admitted to practice, which includes Ohio, the United States District Courts for the Northern District of Ohio, Southern District of Indiana, Western District of Wisconsin, and Eastern District of Michigan, and the United States Courts of Appeals for the Sixth Circuit and Eighth Circuit.
2. There are no disciplinary proceedings pending against Mr. Rawlin as a member of the bar in any jurisdiction.

3. Mr. Rawlin is familiar with the local rules of the United States District Court for the District of Massachusetts and will coordinate all his activities in this case through the undersigned counsel.

4. The undersigned counsel has filed an appearance for the defendants Christian Johansen and Patrick Sautin in this case.

WHEREFORE, the defendants Christian Johansen and Patrick Sautin respectfully request that an order be entered permitting Mr. Rawlin to appear *pro hac vice* on behalf of them in this action.

Dated: December 22, 2004

Respectfully submitted,  
DEFENDANTS CHRISTIAN JOHANSEN  
AND PATRICK SAUTIN

By their attorneys,

/s/ Kurt B. Fliegauf  
Thomas E. Peisch, Esq. (BBO #393260)  
Kurt B. Fliegauf, Esq. (BBO #564329)  
Amy C. Stewart, Esq. (BBO #655896)  
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OF COUNSEL:

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Dustin B. Rawlin, Esq.  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114-1190  
Telephone: (216) 586-3939  
Facsimile: (216) 579-0212

**CERTIFICATE PURSUANT TO LOCAL RULE 7.1(A)(2)**

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel certifies that prior to filing this motion he contacted plaintiff's counsel in a good faith attempt to resolve or narrow the issues that are the subject of this motion. Plaintiff's counsel indicated that he was not opposed to the motion.

/s/ Kurt B. Fliegauf  
Kurt B. Fliegauf  
Attorney for Defendants  
Christian Johansen & Patrick Sautin

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing on the following counsel of record on this the 22<sup>nd</sup> day of December, 2004, via U.S. Mail, postage pre-paid:

Carlo Cellai, Esq.  
76 Canal Street, Suite 402  
Boston, MA 02114  
Attorneys for Plaintiff

/s/ Kurt B. Fliegauf  
Kurt B. Fliegauf  
Attorney for Defendants  
Christian Johansen & Patrick Sautin

UNITED STATES DISTRICT COURT  
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*Defendants.*

**AFFIDAVIT IN SUPPORT OF *PRO HAC VICE* ADMISSION OF DUSTIN B. RAWLIN  
FOR DEFENDANTS CHRISTIAN JOHANSEN AND PATRICK SAUTIN**

I, Dustin B. Rawlin, depose and state as follows:

1. I have personal knowledge of the matters stated in this affidavit.
2. I submit this affidavit in support of the Motion for Admission *Pro Hac Vice* of Attorney Dustin B. Rawlin filed in this case.
3. I am an associate at the law firm of Jones Day, 901 Lakeside Avenue, Cleveland, OH 44114, and am an attorney for the defendants Christian Johansen and Patrick Sautin.
4. I will be co-counsel, with Conn Kavanaugh Rosenthal Peisch & Ford, LLP, for defendants Christian Johansen and Patrick Sautin in this matter.
5. I graduated from Duke University School of Law in 2000.
6. I am admitted to practice law in Ohio, the United States District Courts for the Northern District of Ohio, Southern District of Indiana, Western District of Wisconsin, and Eastern District of Michigan, and the United States Courts of Appeals for the Sixth Circuit and Eighth Circuit.

7. I am in good standing and am not under suspension or disbarment in any of the bars of which I am a member.

8. I have never been the subject of a disciplinary action in the states in which I am admitted to practice.

Signed under the pains and penalties of perjury this 14<sup>th</sup> day of December, 2004.

Dustin B. Rawlin

Dustin B. Rawlin  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114-1190  
Telephone: (216) 586-3939  
Facsimile: (216) 579-0212

Subscribed and sworn to before me this 14<sup>th</sup> day of December, 2004

Pamela S. Mozola

Notary Public

My Commission Expires: 8-29-09

215115.1



PAMELA S. MOZOLA  
NOTARY PUBLIC  
STATE OF OHIO  
My Comm. Exp. 8/29/09